

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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PATRICK SIMS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 2:19-cv-02358-SHL-tmp
	)	
CITY OF MEMPHIS,	)	
	)	
Defendant.	)	

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**ORDER ADOPTING REPORT AND RECOMMENDATION AND  
GRANTING DEFENDANT’S MOTION TO DISMISS**

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Before the Court is Magistrate Judge Tu M. Pham’s (“Magistrate Judge”) Report and Recommendation (ECF No. 18), filed September 20, 2019, recommending that the Court grant Defendant City of Memphis’s Motion to Dismiss. (ECF No. 11.)

A magistrate judge may submit to a judge of the court proposed findings of fact and recommendations for dismissal of a complaint for failure to state a claim. 28 U.S.C. § 636(b)(1)(B). “Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2); see also 28 U.S.C. § 636(b)(1) (2017). A district court reviews de novo only those proposed findings of fact or conclusions of law to which a party specifically objects. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

Plaintiff has filed no response to Defendant’s Motion to Dismiss (ECF No. 11) or the Court’s Order to Show Cause (ECF No. 16) and has not objected to the Magistrate Judge’s Report and Recommendation. (ECF No. 18.) All Plaintiff’s deadlines have now passed. The Court has reviewed the Report for clear error and finds none. Therefore, the Court **ADOPTS** the Magistrate Judge’s Report **GRANTS** Defendant’s Motion to Dismiss.

**IT IS SO ORDERED**, this 3rd day of December, 2019.

s/ Sheryl H. Lipman  
SHERYL H. LIPMAN  
UNITED STATES DISTRICT JUDGE